

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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WADENA PYATT,

Plaintiff,

04-CV-3098 (TCP)

-against-

**MEMORANDUM and
ORDER**

WYCLEF JEAN, JERRY DUPLESSIS,
MICHAEL WILLIAMS, SONY MUSIC
ENTERTAINMENT, INC., COLUMBIA
RECORDS, SONY/ATV TUNES, LLC, and
HUSS ZWINGLI PUBLISHING, INC.,

Defendant.

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PLATT, District Judge

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, plaintiff has filed a motion for summary judgment, seeking to dismiss the entire action in plaintiff's favor.

As we stated in our denial of the summary judgment on August 29, 2006, made by the defendants there are many undecided issues of material fact that have to be considered and decided in a plenary trial in this case which may not be resolved except in a full trial.

Accordingly, the case is remanded to U.S. Magistrate Judge Kathleen Tomlinson to supervise any needed discovery through depositions, production of documents, etc., or otherwise and the preparation of an appropriate pre-trial order with lists of witnesses and

exhibits and statements of uncontested and agreed upon facts, etc.

SO ORDERED.

/s/ _____

Thomas C. Platt, U.S.D.J.

Dated: Central Islip, New York

March 30, 2007